

FILED
SCRANTON

United States District Court
Middle District of Pennsylvania

JUL 13 2021

PER gum July 1, 2021
DEPUTY CLERK

Charles Talbert

No.

vs.

John Wetzel, et al. Plaintiff's Brief In Support of His Emergency Motion For Preliminary Injunction And Temporary Restraining Order

Standard of Review:

"In order for a prisoner to get a preliminary injunction, he must show: (1) you are likely to show at trial that Defendants violated your rights; (2) you are likely to suffer irreparable harm if you do not receive a preliminary injunction; (3) the threat of harm you face is greater than the harm the prison officials will face if you get a preliminary injunction; and (4) a preliminary injunction will serve the public interest." *Lewis v. Casey*, 518 U.S. 343 (1996); *O'Shea v. Littleton*, 414 U.S. 488 (1974); *Younger v. Harris*, 401 U.S. 37 (1971).

Relief Requested:

As the complaint states, Plaintiff suffers from various forms of serious mental health illnesses, serious medical conditions, and he has also been on a hunger strike now since June 4, 2021. Also, Plaintiff has, and continues to be retaliated against for filing other lawsuits in State Court; is, and continues to be oppressed, harassed, threatened, and having his property and legal materials unlawfully stolen, and his incoming mail taken illegally. He is in solitary confinement where his physical and mental health has deteriorated to the point of acquiring psychosis. As a result, Plaintiff is, and will continue to, suffer irreparable harm unless this Honorable Court grants the following relief:

A. enjoin, restrain, and otherwise prevent Defendants, and all those acting in concert and participation with them from:


- (i) confining Plaintiff in prolonged isolation confinement without adequate mental health services, activities, and programs.
- (ii) confining Plaintiff in prolonged isolation confinement without stimuli such as television, for therapeutic purposes in aid of his mental health.
- (iii) confining Plaintiff in prolonged isolation confinement without food from the commissary vendor to get off of hunger strike.
- (iv) retaliating, oppressing, intimidating, abusing, harassing, and/or, threatening Plaintiff.
- (v) depriving Plaintiff all of his mail and publications.
- (vi) depriving Plaintiff of his legal and personal property without justification.
- (vii) depriving Plaintiff adequate mental health and medical treatment.

B. directing the Defendants to send Plaintiff to Geisinger Hospital to have his lungs and heart fully evaluated, diagnosed, and treated from the effects of Covid19.

Conclusion:

For the reasons set forth, Plaintiff respectfully requests for the Court to set a timely hearing for oral argument, and to grant the requested relief.

Respectfully submitted,


Charles Albert

July 1, 2021

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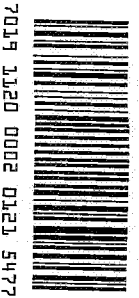
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Inmate mail



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